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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Junichi Nishimura

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EXAMINER
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RASHID, DAVID

ART UNIT	PAPER NUMBER
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2609

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

02/07/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

## Office Action Summary

Application No.

10/798,950

Applicant(s)

NISHIMURA, JUNICHI

Examiner

David P. Rashid

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 March 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☒ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 6/17/2004.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_.

### DETAILED ACTION

All of the examiner's suggestions presented herein below have been assumed for examination purposes, unless otherwise noted.

#### *Priority*

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d) (Application # 2003-066282, filed 4/15/2004) , which papers have been placed of record in the file.

#### *Drawings*

2. The drawings are objected to because of the following reasons:

(i) The following is a quotation of 37 CFR 1.84(q):

Lead lines are required for each reference character except for those which indicate the surface or cross section on which they are placed. Such a reference character must be underlined to make it clear that a lead line has not been left out by mistake.

- (a) FIG. 1, reference numeral 1 is underlined and does not depict a surface or cross section of any sort – suggest changing reference numeral 1 to include an arrow pointing toward the flowchart and removing the underline.
- (b) FIG. 2 and FIG. 3, reference numeral 1 both are not within the surface of the disclosed invention – suggest moving both underlined reference

numerals such that they are on top of the disclosed invention OR replace the underline with an arrow pointing toward the disclosed inventions.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Objections***

3. 37 CFR 1.75(a) reads as follows:

The specification must conclude with a claim particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention or discovery.

4. Claims 6 and 7 are objected to because of the following informalities:

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(i) Claim 6, line 1 refers to “An image apparatus according to claim 3” when in fact claim 3 is a “face authentication apparatus” – suggest changing phrase to “A face authentication apparatus according to claim 3”.

(ii) Claim 7, line 1 refers to “An image apparatus according to claim 3” when in fact claim 3 is a “face authentication apparatus” – suggest changing phrase to “A face authentication apparatus according to claim 3”.

Appropriate correction is required.

5. Claim 15 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claim 14, its dependent, already mentions “disposing a shielding member over the imaging lens such that the imaging lens is difficult for the subject to view” which is essentially the same as shielding the imaging lens from view of the subject – suggest complete deletion of the dependent claim.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. **Claims 2, 8, 9, 14, 15 and 16** are rejected under 35 U.S.C. 102(b) as being anticipated by Tabankin (US 3672269 A).

Regarding **claim 2**, Tabankin discloses an image apparatus accommodated in a body ("In accordance with the preferred mode of practicing the invention, the sequentially-operable hidden camera device 11 (FIG. 1) comprises a frame member 12, a camera 13 (FIG. 3), mounted therein, a cover member 14 (FIG. 1), and actuation means 15 (FIG. 2) which further interconnects said camera 13 with an intruder detection system (not shown).", column 1, line 41.) and provided with a camera that images a subject person ("In the flash camera embodiment of the invention the flash would cause the intruder to turn in reflex action to face the flashing light in order to see what caused the flashes, thereby enabling pictures to be taken of his face; the intruder might furthermore be frightened away by the sudden startling flash of lights from the camera flash.", column 2, line 43.), the image apparatus comprising:

a shielding member arranged in front of an image lens of the camera accommodated in the body ("The cover member 14 (FIG. 1), (for example, a pictorial representation as shown, with a camera aperture 26 or a one-way glass), enables the taking of pictures therethrough by the camera 13, while concealing viewing of the camera from in front of the device, shutter aperture 40 being concealed and disguised,...", column 1, line 67.), and

a dummy lens arranged in the periphery of the image lens and in a position that can be seen by the subject person (“...with the exception that flashes of light (from the flash bulbs, for example) may be selectively visible therethrough through an appropriate concealed plurality of very small flash apertures 41 as desired.”, column 1, line 72. Tabankin suggests that the flash bulbs themselves are seen through small flash apertures in the picture frame for the intruder to see. It is inherent that flash bulbs are composed of a resistor within a convex glass encasement which can be considered a “lens” by definition. (Lens is a device that causes light to either converge and concentrate or to diverge. It is usually formed from a piece of shaped glass or plastic.) The flash bulb can further be called a “dummy lens” because there does not exist an operable camera within the flash bulb itself.).

Regarding **claim 8**, Tabankin discloses a method of manufacturing an authenticating apparatus (refer to reference cited in claim 2) comprising:

arranging an imaging lens to obtain an image of a subject to be authenticated (“In the flash camera embodiment of the invention the flash would cause the intruder to turn in reflex action to face the flashing light in order to see what caused the flashes, thereby enabling pictures to be taken of his face; the intruder might furthermore be frightened away by the sudden startling flash of lights from the camera flash.”, column 2, line 43.);

disposing a shielding member over the imaging lens (“The cover member 14 (FIG. 1), (for example, a pictorial representation as shown, with a camera aperture 26 or a one-way glass), enables the taking of pictures therethrough by the camera 13, while concealing viewing of the

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camera from in front of the device, shutter aperture 40 being concealed and disguised,...”, column 1, line 67.); and

positioning a dummy lens in a periphery of the imaging lens (“...with the exception that flashes of light (from the flash bulbs, for example) may be selectively visible therethrough through an appropriate concealed plurality of very small flash apertures 41 as desired.”, column 1, line 72. Tabankin suggests that the flash bulbs themselves are seen through small flash apertures in the picture frame for the intruder to see. It is inherent that flash bulbs are composed of a resistor within a convex glass encasement which can be considered a “lens” by definition. (Lens is a device that causes light to either converge and concentrate or to diverge. It is usually formed from a piece of shaped glass or plastic.) The flash bulb can further be called a “dummy lens” because there does not exist an operable camera within the flash bulb itself.).

Regarding **claim 9**, Tabankin discloses a method of manufacturing according to claim 8, wherein the dummy lens is positioned below the imaging lens (“The camera 13 (FIGS. 3 and 4), for example, is mounted in the camera aperture 26 in interior support member 20 by mounting means 30 with an aperture 31 therein for the camera shutter, and comprises, for example, a standard commercial camera device which can be utilized with a flash bulb attachment 32 thereof with either a four-flash sequence or continuous flash embodiment as desired by the operator, actuated by shutter button 33 thereof.”, column 1, line 58. The camera “mounting” in the camera aperture 26 in interior support member 20 suggests any possible mounting, including mounting the camera upside down so that the flash bulb is lower than the camera lens.).



Regarding **claims 14 and 15**, Tabankin discloses a method of obtaining an image of a subject for authentication (refer to references cited in claim 2) comprising:

arranging a camera having an imaging lens to obtain an image of a subject to be authenticated (“In accordance with the preferred mode of practicing the invention, the sequentially-operable hidden camera device 11 (FIG. 1) comprises a frame member 12, a camera 13 (FIG. 3), mounted therein, a cover member 14 (FIG. 1), and actuation means 15 (FIG. 2) which further interconnects said camera 13 with an intruder detection system (not shown).”, column 1, line 41.);

disposing a shielding member over the imaging lens such that the imaging lens is difficult for the subject to view (“The cover member 14 (FIG. 1), (for example, a pictorial representation as shown, with a camera aperture 26 or a one-way glass), enables the taking of pictures therethrough by the camera 13, while concealing viewing of the camera from in front of the device, shutter aperture 40 being concealed and disguised...”, column 1, line 58.);

positioning a dummy lens in a periphery of the imaging lens so as to be in view of the subject (“In the flash camera embodiment of the invention the flash would cause the intruder to turn in reflex action to face the flashing light in order to see what caused the flashes, thereby enabling pictures to be taken of his face; the intruder might furthermore be frightened away by the sudden startling flash of lights from the camera flash.”, column 2, line 43.); and

obtaining an image of the subject using the camera (refer to reference cited above).

Regarding **claim 16**, Tabankin discloses a method according to claim 14, wherein the subject is a person ("The device can have a lock incorporated therein to prevent access by the intruder to the photographic recording elements therein...", column 2, line 65. This statement affirms that the intruder is in fact "a person".), and the image obtained is of a part of the person's face ("...thereby enabling pictures to be taken of his face...", column 2, line 46.).

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1 and 5** are rejected under 35 U.S.C. 103(a) as being unpatentable over Tabankin (US 3672269 A) in combination with Belka et al. (US 6,142,375 A).

Regarding **claim 1**, while Tabankin discloses an image apparatus accommodated in a body and provided with a camera that images a subject person ("In the flash camera embodiment of the invention the flash would cause the intruder to turn in reflex action to face the flashing light in order to see what caused the flashes, thereby enabling pictures to be taken of his face; the intruder might furthermore be frightened away by the sudden startling flash of lights from the camera flash.", column 2, line 43.), the image apparatus comprising:

an image lens of the camera accommodated in the body (It is inherent that the disclosed Tabankin hidden camera contains an image lens, as further supported in claim 1, line 9), and

a dummy lens arranged in the periphery of the image lens and in a position that can be viewed by the subject person (“...with the exception that flashes of light (from the flash bulbs, for example) may be selectively visible thêrethrough through an appropriate concealed plurality of very small flash apertures 41 as desired.”, column 1, line 72. Tabankin suggests that the flash bulbs themselves are seen through small flash apertures in the picture frame for the intruder to see. It is inherent that flash bulbs are composed of a resistor within a convex glass encasement which can be considered a “lens” by definition. (Lens is a device that causes light to either converge and concentrate or to diverge. It is usually formed from a piece of shaped glass or plastic.) The flash bulb can further be called a “dummy lens” because there does not exist an operable camera within the flash bulb itself.), Tabankin does not teach a smoked glass lens in front of the image lens of the camera accommodating in the body.

Belka et al. teaches using a smoked glass lens in front of a lens for an optical detector (“If the optical detector 120 is, for example, sensitive to infrared light then the wall is typically made of a material which is relatively transparent to infrared radiation, but may not be transparent to visible light. One such material is smoked glass, ...”, column 7, line 60.)

It would have been obvious to one ordinary skilled in the art to use a smoked glass lens in front of a lens as taught by Belka “...which may allow the inventory control device 100 to act covertly.”, column 7, line 64.

Regarding **claim 5**, while Tabankin discloses an image apparatus according to claim 2 (refer to the references cited in claim 2), Tabankin does not teach the shielding member comprising smoked glass.

Belka et al. teaches using a smoked glass lens in front of a lens for an optical detector (“If the optical detector 120 is, for example, sensitive to infrared light then the wall is typically made of a material which is relatively transparent to infrared radiation, but may not be transparent to visible light. One such material is smoked glass, ...”, column 7, line 60.)

It would have been obvious to one ordinary skilled in the art to use a smoked glass lens in front of a lens as taught by Belka “...which may allow the inventory control device 100 to act covertly.”, column 7, line 64.

9. **Claim 3** is rejected under 35 U.S.C. 103(a) as being unpatentable over Maeno (US 5,283,644 A) in combination with Tabankin (US 3,672,269 A).

Regarding **claim 3**, while Maeno discloses a face authentication apparatus (“...a crime prevention monitor system...”, column 2, line 43) including:

storage means that stores a respective face picture of a plurality of registrants (“The demodulated image data IMD is then sent to a display 205 where the intruder's behaviors are displayed thereon as a real time image, and also sent to an image collator 206 to be collated with image data previously registered in an image database 207.”, column 7, line 15.),

a camera that is accommodated in a body and images a face of a subject person (“...and a monitor camera 102 for photographing the intruder;...”, column 5, line 21), and

authentication means that processes a face picture, imaged by the camera, of the subject person and authenticates whether the subject person is a registrant, whose face picture is stored in the storage means (The image processor reference numeral 105 of FIG. 1 in combination with the concentrator 200 in further detail: “The concentrator 200, is installed, for example, in a

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security company or the like, and collectively receives monitor data reported from the terminal apparatuses 100 provided in a multiplicity of monitor regions through the transmission line PT1 and generally monitors on a remote control basis the presence or absence of an illegal intruder entering into the regions WZ under monitor. The concentrator 200, when determining the presence of an intruder in the monitor region WZ on the basis of its monitor result, informs the report receiver 300 of the fact through the transmission line PT2.”, column 5, line 27.), Maeno does not teach the face authentication apparatus comprising a shielding member arranged in front of an image lens of the camera accommodated in the body, and a dummy lens arranged below the image lens and in a position that can be seen by the subject person.

Tabankin teaches an apparatus comprising a shielding member arranged in front of an image lens of the camera accommodated in the body, and a dummy lens arranged below the image lens and in a position that can be seen by the subject person (refer to the references cited in claim 1).

It would have been obvious to one ordinary skilled in the art to use an apparatus comprising a shielding member arranged in front of an image lens of the camera accommodated in the body, and a dummy lens arranged below the image lens and in a position that can be seen by the subject person as taught by Tabankin “to prevent intrusions as desired by the operator”, column 1, line 20.

10. **Claims 11, 12 and 13** are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination between Maeno (US 5,283,644 A) and Tabankin (US 3,672,269 A), in further light of Coffin et al. (US 5,991,429 A).

Regarding **claim 11**, while Maeno discloses a method of controlling access (“...a crime prevention monitor system...”, column 2, line 43) comprising:

storing reference image data (“The demodulated image data IMD is then sent to a display 205 where the intruder's behaviors are displayed thereon as a real time image, and also sent to an image collator 206 to be collated with image data previously registered in an image database 207.”, column 7, line 15.);

obtaining subject image data using a camera (“...and a monitor camera 102 for photographing the intruder;...”, column 5, line 21);

and comparing the degree of similarity between the subject image data and respective reference image data (“When the report data is transmitted to the report receiver 300 in this manner, the report receiver 300 in turn receives the report data at a receive processor 301 therein. The report data is immediately demodulated at a received data demodulator 302 and then output to an output device 303. The contents of the print-out report data is shown in FIG. 4.”, column 9, line 48. If the intruder does not match any individual in the database, the police are informed that will ultimately “control access” of the intruder.), Morris does not teach obtaining subject image data using a camera having an imaging lens shielded from view by the subject and a dummy lens visible to the subject in the periphery of the imaging lens and controlling access based on the degree of similarity between the subject image data and respective reference image data.

Tabankin teaches an apparatus obtaining subject image data using a camera having an imaging lens shielded from view by the subject and a dummy lens visible to the subject in the periphery of the imaging lens (refer to the references cited in claim 2).

It would have been obvious to one ordinary skilled in the art to use an apparatus obtaining subject image data using a camera having an imaging lens shielded from view by the subject and a dummy lens visible to the subject in the periphery of the imaging lens as taught by Tabankin “to prevent intrusions as desired by the operator”, column 1, line 20.

While the combination between Maeno and Tabankin teaches the method disclosed above, it does not teach controlling access based on a degree of similarity between the subject image data and respective reference image data.

Coffin et al. discloses a access control system for controlling access based on a degree of similarity between the subject image data and respective reference image data (The invention relates to a method and apparatus for identifying individuals for the purposes of determining clearance access or for surveillance through a facial recognition system 900, as shown in FIG. 9. The facial recognition system 900 is comprised of a stand-alone camera 920 for taking a facial scan or image of a person and a separate computer 910 for image processing and database management.”, column 2, line 41.).

It would have been obvious to one ordinary skilled in the art to access control system for controlling access based on a degree of similarity between the subject image data and respective reference image data as taught by Coffin et al. “...for enrolling and identifying individuals for clearance access...”, column 1, line 37.

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Regarding **claim 12**, Tabankin discloses a method of controlling access according to claim 11,

wherein the subject is a person (“The device can have a lock incorporated therein to prevent access by the intruder to the photographic recording elements therein...”, column 2, line 65. This statement affirms that the intruder is in fact “a person”), and

the subject image data is obtained with the subject looking downward toward the dummy lens (“The device of this invention fits into the decor of a home, office, or other premises, and can be suitably framed as desired.”, column 2, line 63. The decor of a home includes setting the “picture frame” apparatus on a table of some sort, or portion of wall that will be lower than the subject.).

Regarding **claim 13**, Tabankin discloses a method according to claim 12, wherein the image obtained is of a part of the person’s face (“...thereby enabling pictures to be taken of his face...”, column 2, line 46.).

11. **Claims 4 and 10** are rejected under 35 U.S.C. 103(a) as being unpatentable over Tabankin (US 3,672,269 A) in combination with Morris et al. (US 5,038,392 A).

Regarding **claim 4**, while Tabankin discloses an image apparatus according to claim 2 (refer to the references cited in claim 2), Tabankin does not teach the shielding member comprising a color filter.



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Morris et al. teaches placing a color filter in front of a camera (“The appropriate lens or color filter having been moved in front of the camera 26...”, column 6, line 65).

It would have been obvious to one ordinary skilled in the art to use a shielding member comprising a color filter as taught by Tabankin, to “...allow a maximum contrast to be presented to the camera....”, column 6, line 69.

Regarding **claim 10**, while Tabankin discloses an image apparatus according to claim 8 (refer to the references cited in claim 8), Tabankin does not teach the shielding member comprising a color filter or smoked glass.

Morris et al. teaches placing a color filter in front of a camera (“The appropriate lens or color filter having been moved in front of the camera 26...”, column 6, line 65).

It would have been obvious to one ordinary skilled in the art to use a shielding member comprising a color filter as taught by Tabankin, to “...allow a maximum contrast to be presented to the camera....”, column 6, line 69.

12. **Claim 6** is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination between Maeno (US 5,283,644 A) and Tabankin (US 3,672,269 A), in further light of Belka et al. (US 6,142,375 A).

While the combination between Maeno and Tabankin disclose a face authentication apparatus according to claim 3, the combination does not teach the shielding member comprising a color filter.

Morris et al. teaches placing a color filter in front of a camera (“The appropriate lens or color filter having been moved in front of the camera 26...”, column 6, line 65).

It would have been obvious to one ordinary skilled in the art to use a shielding member comprising a color filter as taught by the combination between Maeno and Tabankin, to “...allow a maximum contrast to be presented to the camera....”, column 6, line 69.

13. **Claim 7** is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination between Maeno (US 5,283,644 A) and Tabankin (US 3,672,269 A), in further light of Morris et al. (US 5,038,392 A).

While the combination between Maeno and Tabankin disclose a face authentication apparatus according to claim 3, the combination does not teach the shielding member comprising smoked glass.

Belka et al. teaches using a smoked glass lens in front of a lens for an optical detector (“If the optical detector 120 is, for example, sensitive to infrared light then the wall is typically made of a material which is relatively transparent to infrared radiation, but may not be transparent to visible light. One such material is smoked glass, ...”, column 7, line 60.)

It would have been obvious to one ordinary skilled in the art to use a smoked glass lens in front of a lens as taught by Belka “...which may allow the inventory control device 100 to act covertly.”, column 7, line 64.

***Conclusion***

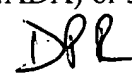
14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David P. Rashid whose telephone number is (571) 270-1578. The examiner can normally be reached on 7:30 - 17:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Werner can be reached on (571) 272-7401. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



**BRIAN WERNER**  
**SUPERVISORY PATENT EXAMINER**



David P Rashid  
Examiner  
Art Unit 2112